

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:25-cv-00086-MAR Date: June 11, 2025

Title: *Robert Cauley v. Westside Car Rentals, Inc. et al*

Present: The Honorable: MARGO A. ROCCONI, UNITED STATES MAGISTRATE JUDGE

VALERIE VELASCO

Deputy Clerk

N/A

Court Reporter / Recorder

Attorneys Present for Plaintiff:

N/A

Attorneys Present for Defendants:

N/A

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**Proceedings: (In Chambers) ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED FOR FAILURE TO  
PROSECUTE**

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On January 3, 2025, Plaintiff Robert Cauley (“Plaintiff”) filed a complaint against Defendants Westside Car Rentals, Inc. and MMSZZ Investments LLC (“Defendants”) and Defendants Does 1 through 10. ECF Docket No. 1 (“Complaint”). Plaintiff served Defendants with the summons and Complaint on February 19, 2025—accordingly, Defendants’ answer was due on March 12, 2025. Dkts. 7–8. To date, Defendants have not filed an answer to the Complaint. On March 13, 2025, Plaintiff requested an entry of default against Defendants. Dkt. 10. The Clerk of this Court entered default against Defendants on March 14, 2025. Dkt. 11. To date, Plaintiff has not moved for default judgment against Defendants.

Federal Rule of Civil Procedure 41(b) grants the Court authority to sua sponte dismiss actions for failure to prosecute or failure to comply with court orders. See Fed. R. Civ. P. 41(b); Wolff v. California, 318 F.R.D. 627, 630 (C.D. Cal. 2016). A plaintiff must prosecute her case with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b). Anderson v. Air W., Inc., 542 F.2d 522, 524 (9th Cir. 1976). Here, it appears that Plaintiff has failed to prosecute the case with reasonable diligence because he has failed to file a motion for default judgment for over three months.

Accordingly, the Court, on its own motion, orders Plaintiff to file a motion for default judgment or to show cause in writing as to why he has not moved for default judgment, on or before June 25, 2025. **Plaintiff is expressly warned that failure to timely file a response to this Order will result in this action being dismissed without prejudice as to one or more defendant(s) for failure to prosecute and comply with court orders. See Fed. R. Civ. P. 41(b).**

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**IT IS SO ORDERED.**

**Initials of  
Preparer**

            
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